

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CONCEPCION PIERSON

v.

SEATTLE BANK

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CIVIL ACTION NO. 3:21-CV-3146-S-BN

ORDER

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. *See* ECF No. 24. No objections were filed. The Court has reviewed the Findings, Conclusions, and Recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

It is therefore ordered that Defendant's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) [ECF No. 9] is **GRANTED IN PART** and Plaintiff's claims for wrongful foreclosure, to set aside foreclosure, and trespass-to-title are **DISMISSED WITH PREJUDICE** and Plaintiff's claims for declaratory and injunctive relief are **DISMISSED WITHOUT PREJUDICE**. Plaintiff has 21 days from the date of this Order to file an amended complaint as to those claims that are dismissed without prejudice. Should Plaintiff fail to amend her complaint within 21 days, Plaintiff's claims against Defendant will be dismissed **WITH PREJUDICE**.

SO ORDERED.

SIGNED July 20, 2022.



UNITED STATES DISTRICT JUDGE